2005 Mar-14 PM 01:19 U.S. DISTRICT COURT N.D. OF ALABAMA

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

JAMES WILBERT WALKER, JR.	)	
PETITIONER,	)	
VS.	)	CIVIL ACTION NO. 05-BE-0150-S
BILLY MITCHEM, Warden;	)	03-BE-0130-8
THE ATTORNEY GENERAL OF THE STATE OF ALABAMA,	)	
RESPONDENTS.	)	
TEDI OTTEDITO	,	

## **SUBMISSION OF EXHIBITS**

Come now the Respondents, by and through the Attorney General of Alabama, to submit the following exhibits in support of their Answer filed on February 22, 2005.

- A. Copy of the record on Walker's direct appeal. CC-97-239; CR-99-1730.
- B. Copy of the State's brief in response to Walker's direct appeal, dated December 20, 2000. CC-97-239; CR-99-1730.
- C. Copy of the Alabama Court of Criminal Appeals memorandum opinion affirmed Walker's convictions, dated April 20, 2001. CC-97-239; CR-99-1730.
- D. Copy of the Alabama Supreme Court's order denying Walker's petition for writ of certiorari, dated August 31, 2001. CC-97-239; CR-99-1730.

- E. Copy of the certificate of judgment issued by the Alabama Court of Criminal Appeals, dated August 31, 2001. CC-97-239; CR-99-1730.
- F. Copy of the record of Walker's Rule 32 petition. CC-97-239; CR-01-2524.
- G. Copy of Walker's brief on appeal of the trial court's dismissal of his Rule 32 postconviction petition. CC-97-239; CR-01-2524.
- H. Copy of the State's brief in response to Walker's appeal, dated January 30, 2003. CC-97-239; CR-01-2524.
- I. Copy of the Alabama Court of Criminal Appeals's memorandum opinion affirming the trial court's dismissal of Walker's petition, dated March 14, 2003. CC-97-239; CR-01-2524.
- J. Copy of Walker's application for rehearing, dated March 28, 2003. CC-97-239; CR-01-2524.
- K. Copy of Walker's motion to amend the finding of facts, dated March 28, 2003. CC-97-239; CR-01-2524.
- L. Copy of the Alabama Court of Criminal Appeals order overruling Walker's application for rehearing, dated April 18, 2003. CC-97-239; CR-01-2524.
- M. Copy of Walker's petition for writ of certiorari in the Alabama Supreme Court, dated April 30, 2003. CC-97-239; CR-01-2524; No. 1021248.
- N. Copy of the Alabama Supreme Court's order denying Walker's petition for writ of certiorari, dated August 15, 2003. CC-97-239; CR-01-2524; No. 1021248.
- O. Copy of the Alabama Supreme Court's order denying Walker's petition for writ of certiorari and taxing cost to Walker, dated August 15, 2003. CC-97-239; CR-01-2524; No. 1021248.

P. Copy of the Alabama Court of Criminal Appeals's certificate of judgment, dated August 15, 2003. CC-97-239; CR-01-2524; No. 1021248.

Respectfully submitted,

s/Elizabeth Ray Butler (BUT031) Elizabeth Ray Butler (BUT031) Assistant Attorney General

## **CERTIFICATE OF SERVICE**

I hereby certify that on this <u>10th</u> day of March 2005, I electronically filed the foregoing exhibits (excluding Exhibits A and F, being transcripts) with the Clerk of the Court using the CM/ECF system; all exhibits have also been photocopied and copied to disk (excluding transcripts) to be mailed to the Clerk; and I hereby certify that I have mailed by United States Postal Service the foregoing (including all exhibits) to the following non-CM/ECF participants:

<u>James Wilbert Walker, AIS #219913, Limestone Correctional Facility, 28779 Nick</u>

Davis Road, Harvest, Alabama, 35749.

Respectfully submitted,

s/Elizabeth Ray Butler (BUT031) Elizabeth Ray Butler (BUT031) Office of the Attorney General Alabama State House 11 South Union Montgomery, AL 36130-0152 Telephone: (334) 242-7300

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